

JICHA: Hello Mr. Fouts, how are you today

FOUTS: a little tired, but hanging in there? How are you

JICHA: very good It's been about six months since we saw you last I Expected that you would be brought back in after your pet stand was completed.

FOUTS: Yeah, I tried to get back in, but they said that you said that wasn't necessary or something. I don't know.

JICHA: I don't think that's what my note says,

FOUTS: But I have it all in my chart messages. I mean, I can go through them and read them to you if you want me to.

JICHA: So, We did get that, you know, we did order a few things when we saw you last, that's very important, but first let's talk about how you're doing today.

FOUTS: I mean, I'm dealing with it - just today or in general? You know... In general?

JICHA: In general. How's the memory and thinking doing?

FOUTS: Not as good as it was the last time I met with you, unfortunately, you know, I'm a lot more forgetful.

JICHA: What have you noticed?

FOUTS: Well, like as an example I sent this in the my chart message too earlier on but like I might be cooking eggs or something and I just totally spaced out and forgot I even had them on the stove you know and then I heard like an exploding sound in the other room and I was like oh crap you know I ran in there to see what it was and it was the eggs! There was no water left in the pan you know that's an example...

JICHA: yeah How about your daily life and daily functions? Are you driving?

FOUTS: I mean, I drove to UK yesterday, but it took all I had to get there and get back. I had to rest several times on the way back.

JICHA: So you're still driving. Are you living independently?

FOUTS: Well, I mean, I would like to be, but I was evicted without cause earlier in the year in April and In violation of multiple federal laws, you know, and I have a housing choice voucher - so I haven't been able to use that again yet, but I will be hopefully...

JICHA: So where are you staying currently right now?

FOUTS: I'm in my parents home - just on the living room on the floor

JICHA: Very good. Are you managing your finances?

FOUTS: I am yes.

JICHA: Very good and how about that depression and anxiety? How are you doing with those?

FOUTS: I mean, you know, I've lived in severe, burning alive pain for 15 plus years. So I have those the same as I have since I.

JICHA: And do you think they're getting worse, better, the same?

FOUTS: I mean, they're not getting better. I think they're about the same, you know. I'm a little more depressed, I guess, because I know that there's more brain involvement going on. And it's oh here's some other things some other examples of things that are happening like I'll forget what I'm saying often mid sentence in my own thought and I'll just have to repeat the sentence over again. It drives my kid nuts, you know, I have to repeat the

sentence over again until I can try to regain my thought where that word was that I left off, where I lost the thought.

JICHA:

FOUTS: I'm divorced so half the time with my ex -wife and half the time with me. Wherever I am.

JICHA: Gotcha. Very good. Very good. And how about the behavior? Are you getting yourself in trouble for doing things that you shouldn't be doing? No.

FOUTS: The only thing I'm trying to do is get people to follow the law to stop violating laws against me. You know?

JICHA: So do you feel that you're being persecuted?

FOUTS: I am being persecuted. There's 25 ,000 plus pages of evidence to prove it. I can't get anybody to do anything about it, you know.

JICHA: Do you have a lawyer that's reviewed them?

FOUTS: I can't really afford an attorney, so I have to try to do this on my own. I have reached out to several, there are like contingency-based fee attorneys. Several have not responded, several have said it's the largest case they've ever seen and they don't have enough resources to handle it, so.

JICHA: And there are legal counseling programs.

FOUTS: Legal aid here in Kentucky won't touch the case. They wouldn't even help me with my eviction. They wouldn't help me with SNAP problems. They wouldn't help me with anything.

JICHA: So you've tried to obtain legal help but have not been able to?

FOUTS: Well right, but it's important to make sure to note that several of the attorneys did say it's the largest case they'd seen, and that they don't have enough resources, otherwise it's a misrepresentation of reality.

JICHA: Gotcha. I just wanted to see if you're working through those issues, if you've thought them out. There is a question that's been raised in regards to your capacity and it's important for me to understand what your understanding of things are and whether or not you're able to reason through those and apply those sorts of things to yourself.

FOUTS: Who raised the question of capacity? Here's a good example for you of another persecution then but like answer the question first please who raised the question of capacity okay.

JICHA: I did. So tell me how about hallucinations seeing things that aren't there.

FOUTS: I mean when I'm extremely fatigued I have. It's the same answer as last time I might see like you know figments of my imagination like sleep deprivation ones you know that's the only time. Another example of what I was trying to say before was that UK won't release a single record to me for me or my child and I've appealed with the Attorney General's office this is all documented okay it's on paper I wrote – I-I - was dealing with the EEO office because it's more than just medical records it's also administrative records. And I requested those and they won't release one single record to me.

JICHA: I don't know anything about administrative records, but your medical records are actually yours. And medical records should send you your full list of medical records.

FOUTS: They should, but they won't. Yeah, they should send my child's to me too, because I have equal legal rights to my ex -wife, but they won't do that either. And they should do that as well.

JICHA: That's something that's behind my control as a as a treating physician.

FOUTS: I'm not asking you for help with that. I'm stating one more example of things that are going wrong, you know.

JICHA: Yeah, so tell me how sleep. You have narcolepsy.

FOUTS: It's it's changing too. So, I do have atypical narcolepsy. It seems like shorter periods of sleep are becoming more of a thing, like six hours, you know, even though I'm terribly exhausted. I'm not able to, yeah, I'm not able to, I don't know how to describe it necessarily.

JICHA: Let me just ask, in the setting of the depression that you've had as well, has anybody ever entertained a diagnosis of bipolar disorder?

FOUTS: I don't have bipolar disorder. I've not been tested for it before. I do not have bipolar disorder. I don't really fit the symptoms whatsoever, so I don't really appreciate that, you, you know-

JICHA: We'll talk about that, and physically, how are you doing as you're walking – how is your balance?

FOUTS: A little off, you know, a little bit off.

JICHA: In what way?

FOUTS: I feel like I'm shuffling my feet somewhat at times on the left side in particular. I had foot drop there before so I don't know if it's just like re-weakening of that or if it's something else but like – I also - I have to wear flip flops you know because of neuropathy pain I haven't been able to wear socks and shoes for eight plus years now and I just feel like my - the fronts of my flip flops - sometimes are scraping against the ground in between steps so that's kind of a newer thing - also the balance is kind of a hit-and-miss kind of thing but like I have to have lights on at nighttime or I don't have balance you know.

JICHA: Have you had falls?

FOUTS: I haven't had falls there's been a couple of close calls but I have not had any.

JICHA: Very good very good so I did see that you had your cognitive testing as well. The cognitive testing that you had, did not show any deficits. Dr. Ali did that. And you looked good across the board, as a matter of fact, superior in most categories, and average or above average on all of the rest.

FOUTS: I'm glad that that's the result, but I can tell you from, like personal experience, we don't have a different baseline measure for me, you know, but like I can tell that there's been changes, you know.

JICHA: And I appreciate that. Nobody else ever did neuropsych testing on you like that?

FOUTS: No.

JICHA: You've been seen at Mayo and Cleveland Clinic.

FOUTS: Yeah, I've been seen by them all

JICHA: And that is surprising to me. So you did have some other past studies that you shared with me last time. One was a study that suggested a potential shrinkage of the frontal lobes.

FOUTS: Did you get-- -

JICHA: I didn't really, I didn't really appreciate that on my viewing of it, but about one of them that you had was NeuroQuant which showed that. And then there was a study of your blood vessels that suggested less flow to your frontal lobes than to other parts of the brain and so we sent you for an an FDG PET scan to take a look at that and indeed the FDG PET came back showing that your frontal lobes are not working metabolically the same way as the rest of your brain is

FOUTS: Right

JICHA: And so that contingency that the radiologist read that as possibly suggestive of frontotemporal dementia, although we can see that pet finding as well in significant depression as well as bipolar disorder especially.

FOUTS: I don't have bipolar disorder. It requires two separate poles, you know, I only have the one... I don't know,

JICHA: Bipolar type two is predominantly depression, but the lack of sleep and some of your messages through EPIC are highly suggestive of an almost manic state that accompanies bipolar disorder.

FOUTS: I don't ever have manic states, you know, And I don't really appreciate the inference when it's not even accurate. It seems like it seems like you're trying to pathologize this into a psychiatric or psychological situation when that's not what it is, you know.

JICHA: That certainly exists on the differential diagnosis. The EEG showed normal electrical activity of the Right,

FOUTS: But you ordered QEEG, not EEG, and that hasn't been done yet. You ordered QEEG is what I said. You're not listening to me.

JICHA: I ordered a routine EEG on you.

FOUTS: You know what, this is why I record all of my visits now, because I wasn't recording them yet, but I'm done with being gaslit by providers. I'm not going to put up with it any further, you know, so now if you say - if you try to say that you didn't say what you just said today, I'll have the evidence of it - you know

JICHA: So first off number one, I'm perfectly fine with you recording conversations. You are supposed to let the person know

FOUTS: You don't have to in Kentucky, in state law - it's not required. It's a one-way state I verified that with the state... So that's the state law.

JICHA [MAKES THREAT AFTER FOUTS ASSERTS RIGHT TO RECORD IN ONE-WAY STATE FOR PROTECTION PURPOSES]: The concerns I have, have been raised by several folks that have talked with you here and the messaging that you've provided and the suggestion was made by many that we should terminate the care of the patient care relationship with you.

FOUTS [ASSERTS LEGAL RIGHT]: If you do that I will be filing a lawsuit just so you're aware. This is your notice. It's formal legal notice. That would be my legal right.

JICHA: Okay, I have nothing to do with legal things. I'm a doctor.

FOUTS: I'm going to cut this appointment short right now. I don't want to waste any more of your time nor of mine - I do appreciate you joining today, but I'm going to end it right here, and I thank you for your time.

JICHA: If you wish I'll say one final thing - If you wish to continue and I asked for the appointment today because I'm trying to help you - If you wish to continue to be seen at the University of Kentucky, we will need to formalize a behavioral contract.

FOUTS: No, no...